

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	
v.)	No. 3:10-CR-25-01
)	Judge Phillips
ANTONIO HUTCHINSON)	

MEMORANDUM AND ORDER

Defendant Antonio Hutchinson has filed a pro se motion for early termination of supervised release [Doc. 112]. In support of his motion, defendant states that he served a thirty-six (36) month term of imprisonment and he has completed three years and six months of a five-year term of supervision. Defendant states that he has been employed since his release from incarceration, first working with mental health patients and now operating his own franchise cleaning business. Defendant is involved in the lives of his four children and he has been coaching youth basketball teams. Defendant “resents” his past actions and is moving forward with his life in a positive manner.

The record reflects that the defendant pled guilty to one count of conspiring to distribute and possess with intent to distribute 50 grams or more of cocaine base, in violation of 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(A). The defendant was sentenced to a term of imprisonment of 36 months, to be followed by a five (5) year term of supervised release [Doc. 102].

The United States Probation Office states that the defendant began his term of supervision on April 14, 2015. Defendant has now completed over three years and seven

months of a five-year term of supervision. The defendant has maintained a stable residence with his girlfriend and children and he has been employed since his release from incarceration. In 2016, defendant started his own franchise business with the Coverall company, which obtains contracts for cleaning buildings. Defendant's business has been successful to the point that he may need to hire additional employees. The Probation Office also notes that defendant is very involved in the lives of his children and that he is coaching sports teams for at-risk youth. The defendant has not had any positive drug screens and he has had no new arrests or active warrants. The Probation Office reports that defendant was cited for Simple Possession in June 2017, but that the car he was driving was registered to his brother-in-law and he was unaware of the marijuana in the backseat. The citation was ultimately dismissed and the Probation Office found defendant's account of this incident to be credible. Further, there have been no issues of non-compliance during his term of supervision. Accordingly, the Probation Office does not oppose the defendant's motion. Similarly, the government does not oppose the defendant's motion.

After considering the factors set forth 18 U.S.C. § 3553(a), the Court may terminate a term of supervised release and discharge the defendant after the expiration of one year of supervised release if the Court "is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e)(1). After carefully considering the requirements of the statute, the Court finds the relevant portions of 18 U.S.C. § 3553(a) support an early termination of defendant's supervised release. In support of this determination, the Court notes that defendant has completed over half of his term of supervised release and he has been in full compliance with the conditions of his

supervision. In addition, his supervising probation officer and the government do not oppose the request. It appears to the Court that defendant has rehabilitated himself and he poses no threat to any individual or the community to reoffend. Accordingly, pursuant to 18 U.S.C. § 3583(e)(1), based on the defendant's conduct and the interests of justice, defendant's motion for early termination of supervised release [Doc. 112] is **GRANTED**. Defendant's term of supervised release is **TERMINATED**.

IT IS SO ORDERED.

s/ Thomas W. Phillips
SENIOR UNITED STATES DISTRICT JUDGE